

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS- Land Acquisition – Adilabad District – Tiryani (Mandal) – Rudrapur (Village) – O.P.No.69/2000 - Sanction of the half of the decretal charges of **Rs.59,38,637/-** - Orders- Issued.

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IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 799

DATE:19.10.2009

Read:

From the CCLA, A.P, Hyderabad, Lr.No.G3/83/2009, dated:06.07.09  
along with the proposal of the District Collector, Adilabad.

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O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the District Collector, Adilabad has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.69/2000 pertaining to Rudrapur (V) Tiryani (M) of Adilabad District. The brief history of the case is that the then Revenue Divisional Officer, Utnoor has acquired the lands for an extent of Ac.244.68 gts situated at Rudrapur (V) Tiryani (M) for the submergence in Vattivagu Project by fixing the land value @Rs.7,500/ per acre vide Award No.C/145/95, dt:21.09.1997. Aggrieved by the award passed by the LAO/RDO, Utnoor, the awardees have filed petitions U/s.18 of L.A.Act with request to refer the case to the Civil Court for adjudication. On reference, the Sr.Civil Judge Court, Asifabad has enhanced the land value from Rs.7,500/ to Rs.20,000/- per acre along with statutory benefits and Rs.1000/- for structure have also been enhanced vide O.P.No.69/2000, dt:19.10.2006. As the enhancement was above 100%, appeals were also filed against the orders of Sr.Civil Judge, Asifabad in Hon'ble High Court of A.P, Hyd in LAAS No.330/07. Meanwhile, the claimants have filed E.P.No.19/08 for realization of decretal amount. The Revenue Divisional Officer, Utnoor has filed Stay petitions against E.P before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court has granted conditional stay orders to deposit the 50% of decretal amount within (8) weeks from the date of order ie. From 04.04.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.59,38,637/- (Rupees Fifty nine lakhs thirty eight thousand six hundred and thirty seven only)** in respect of O.P.No.69/2000 pertaining to Rudrapur (V) Tiryani (M) of Adilabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad has directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.69/2000 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under ""4702 – COL – Minor Irrigation – M.H.101 - Surface water – G.H.11 – NSP - S.H (12) Construction and restoration of Minor Irrigation - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.25724/986/Exp.PW.1/09, dt:08.10.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The District Collector, Adilabad District.  
The Chief Engineer, Minor Irrigation, Hyderabad.  
The Revenue Divisional Officer, Utnoor, Adilabad.  
The Director of Works Accounts, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.22153/LA.III(A2)/2009  
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER